



Royal Canadian Mounted Police Gendarmerie royale du Canada

Security Classification/Designation

Non-sensitive

Central Intake Unit
2755 High Point Dr.
Milton, Ontario
L9T 5E8

Your File

N/A

Jane Scharf
MJS Legal Services
249 Presland Road
Ottawa, Ontario, K1K 2B6

Our File

N/A

2021-03-25

Good day,

Letter to the Royal Canadian Mounted Police

This is in response to the attached correspondence received by the (RCMP) Royal Canadian Mounted Police.

Your correspondence has been carefully reviewed by our intake unit and has been determined not to meet the mandate or jurisdiction of the Royal Canadian Mounted Police in Ontario. The RCMP in Ontario is primarily mandated to investigate matters related to National Security, Financial Crimes against the Federal Government, and Serious and Organized Crime.

Please note that the statutes and enforcement are located within the legislation and acts pertaining to your inquiry. Consequently we are returning your original documents and will not be opening a file.

Regards,


Amar Gosal, Corporal
Central Intake Unit
"O" Division

FAX

Date: 03/11/2021**Pages including cover sheet:** 4

To:	
Phone	
Fax Phone	(905) 643-5932

From:	Jane Scharf
	MJS Legal Services
	249 Presland Rd.
	Ottawa
	ON K1K 2B6
Phone	16138849065
Fax Phone	18665449981

NOTE:

To: Inspector Ann Koenig

From: Jane Scharf, MJS Legal Services, Ottawa
Please respond to this letter at this email
communitysafeguarder@proton.com

mail



E-MAIL ERROR.

MJS LEGAL SERVICES

Jane Scharf. mjslegalservices@outlook.com

Attention: Inspector Ann Koenig
Hamilton RCMP Services

RE: Emergency Management and Civil Protection Act and the Reopening of Ontario Act

My name is Jane Scharf, and I am a paralegal licensed in Ontario. I am representing business, churches, social action groups and individuals who would like to know, from your police service, the answers to the following questions.

1. Are police obligated to enforce the provisions of the *Emergency Management and Civil Protect Act (EMCPA)* and the *Reopening of Ontario Act (ROA)*?
2. Can you clarify your ID policy? Specifically does a member of the public have to identify themselves for a bylaw infraction?
3. (A) Can police use force to enact the EMCPA and ROA contrary to section 1 of the Canadian Bill of Rights (1960)?
(B) If yes can they use force to close down businesses for noncompliance contrary to section 1 of the Canadian Bill of Rights?
(C) If yes can they use force to close down churches contrary to section 1 of the Canadian Bill of Rights?
(D) If yes can they use force to close down protests contrary to section 1 of the Canadian Bill of Rights?
(E) If you have answered yes to 3. (A) (B) (C) or (D) what is the legislative source for the authority to use force in any or all of these cases with regard to the provincial legislation EMCPA or ROA?
4. If you answered yes to 3. (A) (B) (C) or (D) what is the Federal Act of Parliament required by section 2 of the Canadian Bill of Rights that would allow police to override the rights in section 1 of the Canadian Bill of Rights?
5. (A) If police are called to remove a citizen from a retail establishment because they are claiming an exception from wearing a mask do police remove the person by force under the *Trespass to Property Act (TPA)*?
(B) If yes what gives police the authority to use force under a provincial statute TPA?

-2-____

(C) If yes what is the Federal Act of Parliament that authorizes the use of force to override the rights and freedoms contained in section 1 of the Canadian Bill of Rights?

6. Please clarify your policy related to utilizing trespass laws to limit the right of citizens to protest?

CANADIAN BILL OF RIGHTS

Recognition and declaration of rights and freedoms

1 It is hereby recognized and declared that in Canada there have existed and shall continue to exist without discrimination by reason of race, national origin, colour, religion or sex, the following human rights and fundamental freedoms, namely,

(a) the right of the individual to life, liberty, security of the person and enjoyment of property, and the right not to be deprived thereof except by due process of law;

(b) the right of the individual to equality before the law and the protection of the law;

(c) freedom of religion;

(d) freedom of speech;

(e) freedom of assembly and association; and

(f) freedom of the press.

Construction of law

2 Every law of Canada shall, unless it is expressly declared by an Act of the Parliament of Canada that it shall operate notwithstanding the Canadian Bill of Rights, be so construed and applied as not to abrogate, abridge or infringe or to authorize the abrogation, abridgment or infringement of any of the rights or freedoms herein recognized and declared.

<https://www.canada.ca/content/dam/pch/documents/services/download-order-charter-bill/canadian-bill-rights-eng.pdf>

Yours very truly,



Jane Scharf
B.A./LSUC P06406